IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2704 OF 2004

Ramesh Kedari Chougale ...Petitioner

Versus

State of Maharashtra & Ors. ...Respondents

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Mr. V.L.Kapse, Advocate for Petitioner

Mr. B.G. Murthy, Advocate for Respondent No.2

Mr. S.R. Shinde, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 27TH JUNE, 2005

P. C.:-

1. Heard the learned advocate for the petitioner, learned advocate for the respondent No.2 and the learned A.P.P. for the State.

2. The petitioner has prayed for quashing of process issued against him in Criminal Case No. 1385/SW of 2004 which is pending in the Court of learned Metropolitan Magistrate, 7th Court, Dadar, Mumbai. In the said case, process has been issued against the petitioner under Section 406, 467, 438 and 471 of I.P.C.

3. For the reasons recorded in my order dated 13th

June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in Criminal Application No.550 of 2005, the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer revision before the concerned Sessions Court. Ad interim relief granted by this Court by order dated 3.2.2005 is extended by four weeks from today. The learned advocate for the petitioner states that he will give five days advance notice in respect of filing of revision before the Sessions Court to the respondent i.e. original complainant.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Criminal Writ Petition is disposed of.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1759 OF 2005
IN
CRIMINAL WRIT PETITION NO. 2704 OF 2004

Parshuram Govind Chougule ...Applicant

Versus

State of Maharashtra & Ors. ...Respondents

.....

Mr. B.G. Murthy, Advocate for Applicant

Mr. V.L. Kapse, Advocate for Respondent No.2

Mr. S.R. Shinde, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 27TH JUNE, 2005

P. C.:-

. In view of the order dated 27.6.2005 passed in Criminal Writ Petition No. 2704 of 2004, this application does not survive and the same is disposed of as such.

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